Commission for Public Complaints Against the Royal Canadian Mounted Police

Commission des plaintes du public contre la Gendarmerie royale du Canada

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COMMISSION FOR PUBLIC COMPLAINTS AGAINST THE RCMP

2013-2014

ANNUAL REPORT

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Canada

The Commission for Public Complaints Against the RCMP (CPC) is an independent body established in 1988 to receive and review complaints about the conduct of regular and civilian RCMP members in the performance of their duties. Its mission is to contribute to excellence in policing through civilian review.

The CPC ensures that complaints about the conduct of RCMP members are examined fairly and impartially. Its findings and recommendations help identify, correct and prevent the recurrence of policing problems caused by the conduct of specific RCMP members or by flaws in RCMP policies or practices.

VISION: Excellence in policing through accountability.

MISSION: To provide civilian review of RCMP members' conduct in performing their duties so as to hold the RCMP accountable to the public.

MANDATE: As set out in Part VII of the *Royal Canadian Mounted Police Act*, the mandate of the Commission is to:

- receive complaints from the public about the conduct of RCMP members;
- conduct reviews when complainants are not satisfied with the RCMP's handling of their complaints;
- hold hearings and carry out investigations; and
- report findings and make recommendations.

STRATEGIC OBJECTIVES

- Strengthen the complaint and review process.
- Facilitate the creation of a new review mechanism for the RCMP.
- Improve the relevance of review recommendations and identify complaint trends.
- Consolidate outreach and public education efforts.

You can find the Commission for Public Complaints Against the RCMP on the Internet at **www.cpc-cpp.gc.ca** or **www.complaintscommission.ca**.
All documents cited in this report may also be found there.

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Minister of Public Works and Government Services
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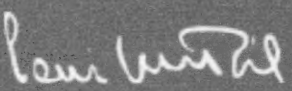
The Honourable Steven Blaney, P.C., M.P.
Minister of Public Safety and Emergency Preparedness
House of Commons
Ottawa, Ontario
K1A 0A6

Dear Minister,

Pursuant to section 45.34 of the *Royal Canadian Mounted Police Act*, I hereby submit the annual report of the Commission for Public Complaints Against the RCMP for the 2013-2014 reporting period for tabling in Parliament.

Yours very truly,



Ian McPhail, Q.C.
Interim Chair

June 2014

TABLE OF CONTENTS

CHAIR'S MESSAGE 2

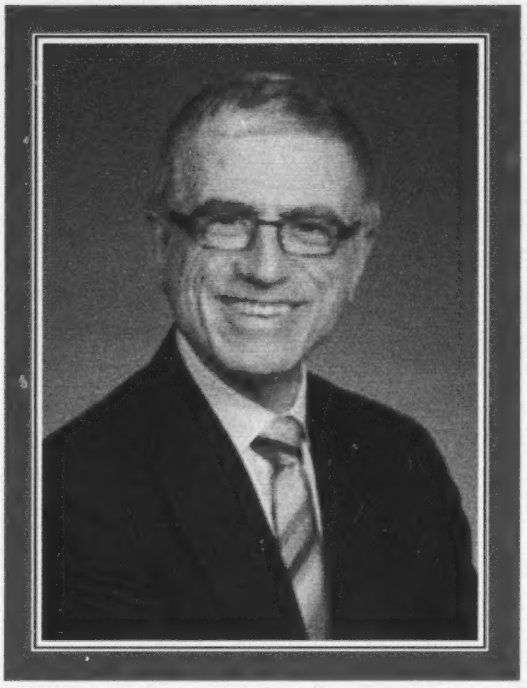
THE COMPLAINT & REVIEW PROCESS 4

Enquiries, Early Resolutions & Formal Complaints 4
Requests for Review 5
Complaint & Review Process Flowchart 6

THE YEAR IN REVIEW 7

Public Complaints 7
Complaint Trends 7
Requests for Review of the RCMP's Handling of Public Complaints 8
Service Standards 9
Commissioner's Notices 10
Notable Complaints 11
Completed Chair-Initiated Complaints & Public Interest Investigations 11
Ongoing Investigations 11
Sample Review Findings 14
Recommendations 17
Looking Forward 18
Specified Activites Review Unit 18
Provincial Partnerships 18
Research Unit 19
Canadian Association of Civilian Oversight of Law Enforcement 19
Federal & Provincial Annual Oversight Conference 19
Corporate Overview 20

CHAIR'S MESSAGE



This is an exciting time for the organization. There have been tremendous changes in policing since the creation of the first Commission over 25 years ago.

On June 19, 2013, Bill C-42, the *Enhancing Royal Canadian Mounted Police Accountability Act*, received Royal Assent. The Civilian Review and Complaints Commission for the RCMP will be created, and will replace the existing Commission for Public Complaints Against the RCMP. As the Interim Chair, I remain committed to ensuring that the Commission continues to deliver on its current mandate while preparing to augment it through the implementation of the enhanced powers and authorities granted by the new legislation.

Over the past year, the Commission again maintained its rigorous service standards for the receipt of complaints from the public and the review of the RCMP's initial disposition of complaints. It also initiated and continued several major independent investigations.

For example, the Commission initiated its own investigation into the RCMP's response to flooding in High River, Alberta, including allegations of inappropriate entries to homes and firearms seizures by members. The Commission also initiated a large-scale investigation into the policing of communities in northern British Columbia following the expressions of public concern contained in a report released by Human Rights Watch.

In anticipation of increased integration and productive partnerships with provincial police review bodies, as detailed in Bill C-42, the Commission undertook a series of meetings with provincial government officials, RCMP representatives and interested parties to discuss the impact of the new legislation. Notably, the new Commission will be able to conduct joint reviews with provincial review bodies. It will also

provide investigative, complaint and annual reports regarding data and trends to provinces which contract for RCMP services.

Another key feature of the new legislation is the inclusion of the authority to conduct broad systemic reviews of RCMP activities, such as policies, programs and practices, in addition to responding to public complaints. The Commission has, in the past year, worked to develop a robust planning process for such reviews, and is ready to undertake this new role early in its enhanced mandate.

The Commission has also made efforts to streamline internal services and reorient them towards the support of operational activities; for example, by modernizing its case tracking and management system. Efforts will continue with the new Commission to identify efficiencies arising from increased integration with the RCMP and provincial counterparts. Such efficiencies will assist in providing a seamless, user-friendly service to the public.

This is an exciting time for the organization. There have been tremendous changes in policing since the creation of the first Commission over 25 years ago. With the legislative process almost complete, and additional funding in place, the Commission is well on its way to enhancing public confidence in policing through the promotion of RCMP accountability.

The Civilian Review and Complaints Commission for the RCMP will replace the existing Commission for Public Complaints Against the RCMP.

THE COMPLAINT & REVIEW PROCESS

ENQUIRIES, EARLY RESOLUTIONS & FORMAL COMPLAINTS

The Commission remains focused on offering the public a range of options for the handling of complaints or concerns. To this end, when a member of the public contacts the Commission, he or she is provided with access to an experienced analyst who assesses the needs of that person and identifies options for addressing their concerns.

ENQUIRIES

Enquiries include a spectrum of issues that can range in complexity from simple requests for information through to informal communication between the CPC and the RCMP or other government agency to assist the citizen. Enquiries generally involve concerns that are within the CPC mandate.

EARLY RESOLUTION

Commission analysts can serve as objective intermediaries to assist with conflict resolution between the public and the RCMP, when appropriate.

It should be noted that complaints involving statutory offence allegations or those alleging excessive use of force or other serious matters are not considered to be appropriate for early resolution.

FORMAL COMPLAINTS

When a complaint is filed with the CPC, an analyst works with the complainant to define the nature of the allegations and formalize the complaint. The complaint is then sent to the RCMP for investigation.

If the complainant is dissatisfied with the outcome of the RCMP's investigation, he or she can request that the CPC conduct a review.

For example, the same allegation of lack of professionalism on the part of an RCMP member could be managed in three ways:

Enquiry

If a motorist is spoken to by an officer at a traffic stop in a manner which the motorist believes is inappropriate, the individual may contact the CPC for information about how to lodge a formal complaint against the RCMP member. The CPC analyst will listen to the concerns and explain the steps involved in the public complaint process. The analyst will open a file to record the details of the incident and in some cases may send a follow-up letter to the individual along with a complaint form in the event that the individual decides to pursue a formal complaint.

Early Resolution

Another motorist in similar circumstances may not wish to lodge a formal complaint. After clarifying the individual's issues and goals, a CPC analyst can facilitate discussions with the RCMP in an effort to reach a solution that is satisfactory for both the complainant and the RCMP.

Formal Complaint

A different motorist in this situation may wish to lodge a formal complaint and participate in an investigation, receive a written response from the RCMP and have the ability to request that the Commission conduct an independent review.

REQUESTS FOR REVIEW

Upon receiving a request for review, the CPC:

- requests all relevant information from both the complainant and the RCMP regarding the complaint; and
- analyzes and examines the information.

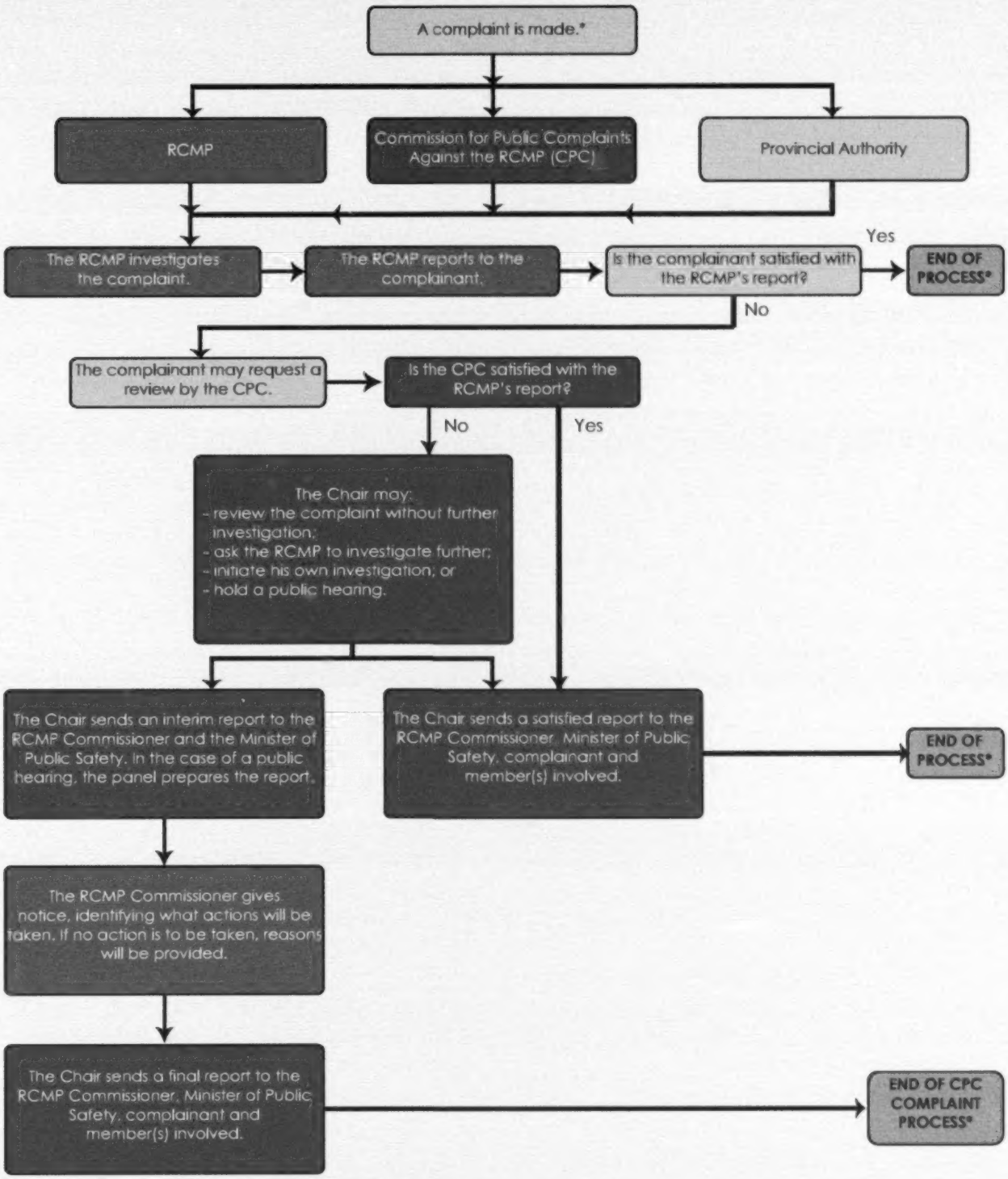
If the Commission is satisfied with the actions of the RCMP and the manner in which it addressed the complaint, it will issue a **Satisfied Report**.

On the other hand, if the Commission is not satisfied with the actions of the RCMP and the manner in which it addressed the complaint, it will issue an **Interim Report** outlining its findings and recommendations aimed at improving RCMP member conduct, policies and procedures. This response is sent to the Commissioner of the RCMP and the Minister of Public Safety.

The RCMP Commissioner prepares a response to the Interim Report—the **Commissioner's Notice**—in which he describes what action the RCMP has taken or will take in light of the findings and recommendations made by the CPC.

The CPC then prepares its final report—the Final Report After Commissioner's Notice—which is sent to the complainant and the members involved and terminates the CPC's complaint and review process.

COMPLAINT & REVIEW PROCESS FLOWCHART


A complaint is made.*
RCMP
Commission for Public Complaints Against the RCMP (CPC)
Provincial Authority
The RCMP investigates the complaint.
The RCMP reports to the complainant.
Is the complainant satisfied with the RCMP's report?
Yes
END OF PROCESS*
No
The complainant may request a review by the CPC.
Is the CPC satisfied with the RCMP's report?
No
Yes
The Chair may:
- review the complaint without further investigation;
- ask the RCMP to investigate further;
- initiate his own investigation; or
- hold a public hearing.
The Chair sends an interim report to the RCMP Commissioner and the Minister of Public Safety. In the case of a public hearing, the panel prepares the report.
The Chair sends a satisfied report to the RCMP Commissioner, Minister of Public Safety, complainant and member(s) involved.
END OF PROCESS*
The RCMP Commissioner gives notice, identifying what actions will be taken. If no action is to be taken, reasons will be provided.
The Chair sends a final report to the RCMP Commissioner, Minister of Public Safety, complainant and member(s) involved.
END OF CPC COMPLAINT PROCESS*

* The Chair can initiate his own complaint. In addition, at any stage of the process, the Chair may institute an investigation or a hearing where he considers it advisable in the public interest.

THE YEAR IN REVIEW

Much of the Commission's work this year centered on providing direct service to members of the public concerned about the actions of RCMP members.

PUBLIC COMPLAINTS

Anyone who has a concern about the conduct of an RCMP member can make a complaint. Complaints can be filed with the CPC, the RCMP or a provincial authority. The CPC processed 3,622 general enquiries and formal complaints against the RCMP this reporting year.

In 2013-2014, the CPC received approximately 75% of all complaints directly from the public, with the RCMP receiving the rest.

COMPLAINT TRENDS

The type of complaint issues raised in 2013-2014 followed a similar trend to previous years.

The most common public complaint relates to RCMP member attitude. This category can include behaviours that are perceived to be: dismissive, rude, non-responsive, biased, unfair, or lacking in empathy.

The second most common complaint relates to the quality of RCMP criminal investigations. This issue can arise when the complainant feels that the criminal investigation: was not thorough, was improperly carried out, was not timely, lacked witness interviews, included mishandled evidence and examinations, and contained inaccurate reports.

The third most common complaint relates to improper arrest. This category can include arrests involving: invalid warrants, failure to provide a reason for the arrest, inappropriate use of mental health arrest provisions, lack of evidence and failure to provide Charter rights, or right to legal counsel.

10 Most Common Complaints	% of Complaints
Attitude other than abusive language	20
Criminal investigation quality (RCMP)	18
Improper arrest	9
Police physical abuse (other than restraints)	6
Vehicular incidents	6
Detention	5
Search and seizure	4
Incidents involving alcohol/drugs	3
Public complaint process quality (RCMP)	3
Property mishandling	3

REQUESTS FOR REVIEW OF THE RCMP'S HANDLING OF PUBLIC COMPLAINTS

This year the Commission received 219 requests for review. The Commission's review reports are based on a thorough examination of the entire investigative record gathered during the initial investigation. In addition, the Commission requests further material where required, and may request that further investigation be conducted or conduct such investigation itself. One or both of these steps were taken on 51 occasions this year.

Common review issues relate to:

- the quality of RCMP criminal investigations;
- use of force;
- search and seizure;
- member attitude; and
- quality of service (which can range from a member failing to return a telephone call, to a perceived failure to lay appropriate charges).

The Commission issued a total of 207 review reports in 2013-2014:

- in 183 reports, or 88%, the Commission was satisfied with the RCMP's disposition of the complaint ("Final Reports").
- in 24 reports, or 12%, the Commission was not satisfied with the RCMP's disposition of the complaint and, in most cases, made recommendations to address deficiencies ("Interim Reports").

In his responses to the Commission's Interim Reports, the RCMP Commissioner accepted approximately 81% of the Commission's adverse findings and 86% of its recommendations.

The Commission's recommendations vary in response to the individual complaints being reviewed, and many are fact-specific. Commission recommendations may specify that:

- subject members receive guidance from senior members or further training in respect of specific roles and responsibilities;
- RCMP policies, procedures or guidelines be clarified or amended where a gap has been identified;
- the complainant be provided with an apology;
- public complaint investigators and decision makers receive guidance or further training regarding the public complaint process and their roles therein; and
- public complaint investigations be carried out where the RCMP determined that such investigations were not necessary.

SERVICE STANDARDS

When handling a formal complaint against the RCMP, the CPC's goal is to guide each complaint through the process in as timely a manner as possible and ideally within one calendar year. The CPC has set its own service standards with respect to the length of time taken for each step of the process.

Over the past year, the Commission has been working with the RCMP to prepare a memorandum of understanding that would outline, among other items, the RCMP's voluntary adherence to these standards.

Maintaining clear service standards is consistent with the Commission's view that effective review must be timely. These standards are aimed at enhancing the ability of complainants, RCMP members and Canadians to hold the CPC and the RCMP accountable for timely responses to public complaints. To that end, the CPC continues to enforce its internal service standards, in preparation for the implementation of legislated service standards as required by Bill C-42.

Action	Number of Days Recommended by the CPC
Complaint received by CPC and forwarded to RCMP	4 days
RCMP investigates and delivers a report to the complainant	180 days
If complainant is dissatisfied with RCMP report, CPC requests all material from RCMP	4 days
CPC commences review process - RCMP forwards material to the CPC (within 30 days) - CPC conducts review and sends interim report to RCMP*	120 days
RCMP responds	30 days
CPC issues final report to complainant and RCMP	30 days

* If, however, the CPC is satisfied with the RCMP's investigation, the review process ends and a final report is provided to the complainant as well as the RCMP at this time.

Interim & Satisfied Reports

The CPC remains committed to ensuring that a minimum of 80% of its reports are finalized within 120 days of receiving the request for review. This year, the CPC achieved a performance rate of 84%.

Final Reports

The CPC has a 30-day service standard for completing its Final Reports after receiving a Commissioner's Notice. This year, the CPC delivered 46 Final Reports to the RCMP, 98% of which were within the service standard.

COMMISSIONER'S NOTICES

The RCMP Act requires that the RCMP Commissioner respond in writing ("Commissioner's Notices") to the Commission's Interim Reports, stating what action will be taken in response to findings and recommendations or providing reasons why no action will be taken.

Once the Commissioner's Notice has been received, the Commission is able to provide a Final Report which includes the Interim Report and the Commissioner's Notice to the complainant and subject RCMP member(s).

In past years, the Commission has commented on the importance of timely review in fulfilling this remedial goal of the public complaint process, and has responded to the need for timeliness by implementing internal performance standards which it continues to meet. Within the last three years, the RCMP and its Commissioner have also responded to this imperative, delivering Commissioner's Notices in an increasingly timely manner such that only 10 remained outstanding at the end of the reporting year. Of those, only two had been outstanding for more than 6 months.

Within the last three years, the RCMP and its Commissioner have responded to the importance of timely review delivering Commissioner's Notices in an increasingly timely manner.

NOTABLE COMPLAINTS

COMPLETED CHAIR-INITIATED COMPLAINTS & PUBLIC INTEREST INVESTIGATIONS

RCMP Handling of Matters Involving Nicole (Ryan) Doucet

The Commission's public interest investigation was initiated in response to a request from the Minister of Justice and Attorney General for Nova Scotia and public concerns relating to the manner in which the RCMP dealt with issues involving Nicole Doucet prior to her March 2008 arrest for attempting to hire an undercover RCMP officer to kill her husband.

The Commission examined whether the RCMP failed to protect Ms. Doucet or to follow its policies pertaining to domestic violence, and whether the involved members ignored a situation where a victim needed assistance.

The Commission examined the RCMP's records of over 25 occurrences in which Ms. Doucet, Mr. Ryan or both had some involvement with the RCMP, 12 of which involved direct conflict between the two parties. The results of two separate RCMP internal investigations of the matter and various court records were also examined. Finally, the Commission interviewed Ms. Doucet, Mr. Ryan and the RCMP members involved with them prior to March 2008.

The Commission concluded that the RCMP did not refuse to assist Ms. Doucet; on the contrary, RCMP members were responsive to the family's conflicts. Additionally, the Commission determined that the RCMP acted reasonably in each of its dealings with Ms. Doucet and her family, and did not fail to protect her.

The full report, including all recommendations, can be found on the Commission's website.

> **"A robust civilian review regime, with the necessary authorities to investigate and assess public complaints and concerns, is essential to maintaining public trust and confidence in any policing organization, including the RCMP."**
>
> - Ian McPhail, Q.C.
> April 2013

ONGOING INVESTIGATIONS

RCMP Response to Flooding in High River, Alberta

In response to public concerns regarding the conduct of RCMP members involved in entering private residences and seizing firearms following flooding in High River, Alberta, in June and July 2013, the Chair initiated a complaint and public interest investigation.

Specifically, public concerns arose following reports that members had entered private residences in the area and seized firearms found within those residences. The Prime Minister's Office equally and publicly expressed concern in respect of the seizures.

The Commission's investigation is ongoing and to date, investigators have twice visited the community of High River to interview persons who may have been impacted.

The Commission anticipates releasing its report in 2014.

Police-Involved Shooting of Gregory Matters

In September 2012, Gregory Matters and his brother were involved in a dispute which resulted in a 9-1-1 call. Over the course of that day, members of the Prince George RCMP Detachment had repeated contact with Mr. Matters, and a decision was reached to arrest him for dangerous driving, assault with a weapon, assault, and breach of a peace bond.

The RCMP negotiated with Mr. Matters by telephone while the Emergency Response Team stood by. When telephone negotiations ceased, Mr. Matters was approached by a four-member Emergency Response Team. An altercation ensued and he was fatally shot.

The Independent Investigations Office of British Columbia concluded that no criminal offence on the part of any RCMP members had occurred.

The British Columbia Coroner's Office completed its inquest in January 2014.

The Commission anticipates releasing its report in 2014.

RCMP Response to Anti-Fracking Protests

Beginning in the late spring of 2013, numerous individuals gathered near the Elsipogtog First Nation in Kent County, New Brunswick, to protest Southwestern Energy's testing for potential shale-gas extraction as well as fracking as a resource extraction method.

The demonstrations resulted in confrontations with local RCMP members. The Commission has received several public complaints from protestors as well as from persons concerned with the ongoing events, whether directly affected or not.

As a result of the public concerns expressed, the Commission determined that it would use its own investigators to investigate the complaints.

While the Commission initially informed the RCMP and individual complainants of its decision to investigate the complaints in July 2013, it continues to receive complaints given the ongoing nature of the incident.

Policing in Northern BC

Following the concerns expressed by Human Rights Watch in its report entitled *Those Who Take Us Away: Abusive Policing and Failures in Protection of Indigenous Women and Girls in Northern British Columbia, Canada*, the Chair initiated a complaint and public interest investigation into the conduct of RCMP members carrying out policing duties in northern British Columbia.

The Commission will examine RCMP member conduct relating to the following specific areas:

- The policing of public intoxication;
- The incidence of cross-gender police searches;
- The handling of missing persons reports;
- The handling of domestic violence reports;
- Use of force; and
- The handling of files involving youth.

The Commission has conducted meetings and interviews with interested stakeholders and has committed to independently examine any individual public complaints which arise throughout its investigation. The Commission will assess over 90,000 files falling within parameters of its period of study, in order to determine whether they were handled in accordance with policy and practice.

The Commission will also examine whether existing RCMP policies, procedures, training and guidelines related to these specific areas are adequate.

RCMP Activities Concerning Groups Engaging in National Energy Board Hearings

In February 2014, the Commission received a complaint from the British Columbia Civil Liberties Association (BCCLA) alleging that the RCMP illegally monitored and spied on the peaceful and democratic activities of community groups and First Nations opposed to the Enbridge Northern Gateway Pipeline project.

The BCCLA also alleged that the RCMP interfered with the freedoms of expression, assembly and association protected by the *Canadian Charter of Rights and Freedoms* by gathering intelligence about citizens opposed to the Enbridge project through a range of sources.

The BCCLA based its complaint on a number of records obtained by the media through access to information requests.

Given the sensitivity of the particular issues involved and the nature of the public concern raised, the Commission determined that it would use its own investigators to investigate the BCCLA's public complaint.

The Commission is an agency of the federal government, distinct and independent from the RCMP. When conducting a public interest investigation, the Commission does not act as an advocate either for the complainant or for RCMP members.

SAMPLE REVIEW FINDINGS

The Commission addresses a variety of issues arising from complainant dissatisfaction with the outcome of the RCMP's handling of their complaint. The following are examples taken from the 207 reviews it conducted during the reporting year.

Roadside stop leads to reasonable use of oleoresin capsicum spray on driver but unreasonable inconvenience to passenger

An RCMP member stopped a truck with a burned out front headlight and missing mud flaps on a provincial highway. Once stopped, the driver of the vehicle exited and began to rummage through the truck's cargo area, not complying with the RCMP member's commands to return to the vehicle. A physical altercation ensued during the driver's arrest and the member deployed oleoresin capsicum spray. As the passenger of the vehicle was visually impaired, the truck was towed. The driver complained about the member's use of force and about the towing of his truck.

The Commission determined that the member reasonably feared imminent danger when the driver failed to respond to commands, appeared to be hiding what he was doing, and resisted being removed from the cargo area and, accordingly, that the member's use of oleoresin capsicum spray was reasonable.

However, the Commission found that the member unreasonably ignored the request of the passenger of the truck to arrange for two persons to attend the scene, which would have avoided the towing of the truck and would not have resulted in further delay or inconvenience. The Commission recommended that the detachment commander apologize to the passenger for the inconsiderate and indifferent way in which she was treated. The Commission is awaiting the RCMP's response in this matter.

Roadside stop and detention of driver was reasonable but photographing of driver was overzealous

An RCMP member followed a vehicle driving over the speed limit for several blocks before signalling the driver to stop. The driver did not stop for some time, but did eventually park. The member then detained him for the investigation of obstruction, releasing him after photographing him and serving him with violation tickets for failing to stop for police and for speeding. The driver complained that he was unreasonably detained, and that the member should not have taken his photograph.

The Commission concluded that given the driver's refusal to follow instructions and the apparent risk he posed, his detention for investigative purposes was reasonable.

However, the Commission concluded that once the member satisfied himself of the driver's identity by verifying the likeness of the photograph on his driver's licence, there was no further reason or legal authority to photograph him; the member's action in so doing was unreasonable, and unduly intimidating.

The Commission recommended that the member be provided with operational guidance. The RCMP Commissioner agreed with the Commission's findings and recommendation.

CPC recommends that member receive operational guidance after using unreasonable force and making an unnecessary arrest

Two individuals were walking home on a foggy night in an area with no street lights. The individuals were admittedly arguing, which drew the attention of an RCMP member. The member ultimately arrested one of the individuals for public intoxication and used force against her in doing so. She suffered bruising, a chipped tooth, and scrapes from the altercation, and later complained about the validity of her arrest and the use of force.

The Commission concluded that the member had not determined a reasonable basis for the belief that the individual was intoxicated and that an arrest was necessary, and that it was not apparent that the member had turned his mind to the factors to be considered as detailed in the RCMP's policy concerning such arrests. The Commission recommended that the member receive operational guidance. The Commission is awaiting the RCMP's response in this matter.

RCMP member remains professional while driver becomes loud and argumentative

An RCMP member stopped a vehicle and issued the driver with traffic violation tickets for speeding, a licence plate violation, and an insurance document violation. During the traffic stop, the driver contacted the local RCMP detachment to express concerns about the way in which she was being treated by the member. The supervisor who took the call contacted the member at the scene while he was still attending the traffic stop, and made the determination that there was no issue of public safety and that the stop could proceed. The supervisor then contacted the driver within an hour of the traffic stop to discuss the incident. The driver complained in part that the attending member was rude to her.

The Commission concluded, based largely on the audio/video recording of the traffic stop, that the attending member had been professional, polite and respectful in his interaction with the driver. The member explained the rationale for his actions and did not change his polite tone when the driver became loud and argumentative.

RCMP member acts appropriately in landlord-tenant dispute

An individual requested RCMP assistance at a property he owned. An RCMP member attended the property and discovered that the complainant had changed the locks of the residence to exclude a woman who had been occupying it. The occupant claimed to have paid rent to a third party (an agent for the complainant). While the complainant maintained that the agent had not provided him with any money, the member ultimately convinced the complainant to hand the new key over to the occupant and to go through the legal system to evict the tenant. The complainant alleged that the member had inappropriately interfered in a civil matter.

The Commission determined that it was reasonable for the member to conclude that the occupant had an apparent contractual right to be at the property, and acknowledged that the member did not want to leave the parties in a situation where the occupant would possibly break into what was clearly being used as her home (rightfully or not) and potentially cause damage to the property by doing so.

The Commission concluded that it would have been inappropriate for the member to assist the complainant in the purported eviction with the information available to him, and it would have been equally inappropriate to do nothing and to leave the occupant without access to her home and her belongings.

Accordingly, the Commission found that the member's response to the situation was reasonable in the circumstances.

RCMP member failed to interview a key witness

A father reported to the RCMP that his child had been sexually assaulted by another child. While both children were interviewed as part of the investigation, the adult to whom the child initially disclosed the alleged assault was not interviewed. Based upon the information obtained during a joint investigation, the RCMP and the provincial child protection body concluded that the claim was unfounded. The father filed a public complaint alleging that the RCMP member failed to conduct an adequate investigation into the sexual assault.

The RCMP investigated the complaint and determined that, while it was reasonable to conclude that the sexual assault claim was unfounded, the member had failed to interview a key witness. This is contrary to RCMP policy and, consequently, the member was provided operational guidance with respect to both this deficiency and that of keeping a proper log of witnesses interviewed.

The Commission found the RCMP's investigation and disposition of the allegation to have been reasonable.

RCMP member placed himself in a perceived conflict of interest

An individual made several noise complaints to his local by-law office concerning the ongoing issue of a truck with a loud muffler driving past his residence. The driver of the vehicle was given a warning and subsequently issued two violation tickets for repeated incidents regarding the noise of his vehicle. The case was set for trial; however, the driver pled guilty to one offence and the other charge was withdrawn.

An RCMP member who was acquainted with the driver had, according to the other parties involved, spoken to two municipal enforcement officers and the prosecutor about the issue; specifically, providing a positive character reference about the driver and his family to two by-law enforcement officers who were investigating the matter.

The complainant alleged that the RCMP member improperly involved himself in the municipal enforcement investigation.

The Commission found that the member's conduct was unreasonable, given the risk of creating a perception of conflict of interest, as he had approached both officers while on duty and at their work place to specifically talk about investigations involving his acquaintance.

The Commission concluded that in offering unsolicited praise for the driver and his family, the RCMP member inadvertently and unreasonably placed himself in a perceived conflict of interest.

The Commission recommended that the RCMP provide the member with operational guidance, and the RCMP Commissioner agreed.

RECOMMENDATIONS

In examining and making recommendations aimed at correcting systemic problems, the Commission's goal is to identify areas of improvement for the RCMP, while at the same time informing the Minister of Public Safety Canada and the public of its concerns. To that end, the Commission has to date monitored the status of recommendations relating to operational and administrative policy that the Commissioner has indicated will be implemented.

This year, the RCMP implemented all outstanding past policy recommendations made by the Commission, specifically regarding:

- The revision of RCMP policy with respect to the provision of medical assistance;
- The amendment of RCMP policy with respect to guarding prisoners;
- The amendment of RCMP policy regarding members reviewing their own reports; and
- The development of a policy regarding contacting callers when responding to emergency calls.

Going forward, the Commission envisions continuing to comprehensively track and monitor the implementation of its accepted recommendations.

> The role of the Chair of the Commission is to make findings after an objective examination of the information available and, where judged appropriate, to make recommendations that focus on steps that the RCMP can take to improve policy and performance of the RCMP and its members.

LOOKING FORWARD

SPECIFIED ACTIVITIES REVIEW UNIT

In preparation for the coming into force of the new legislation, which will allow the Commission to undertake reviews of specified activities of the RCMP, a new unit has been established and is being staffed with senior investigators. The unit will be responsible for undertaking systemic examinations of RCMP policies, programs issues.

The Commission has recognized the value of such examinations in building upon current authorities which enable it to initiate its own complaints and conduct investigations in the public interest. For example, appearing before the Senate Standing Committee on National Security and Defence in support of the Commission's 2013 report following a public interest investigation into issues of workplace harassment, the Interim Chair underlined the importance of future systemic reviews to measure improvement in the manner in which those issues were handled by the RCMP. He stated: "In order to give the Canadian public the confidence that the RCMP is making progress, you need that independent review."

The Minister of Public Safety, as well as provincial ministers responsible for policing where the RCMP provides service under contract, may also request a specified activity review.

Given the extensive mandate of the RCMP, a risk assessment model has been developed in order to inform the planning process for such examinations. A detailed risk analysis will be undertaken prior to the Commission undertaking a specified activity review. Stakeholder consultations as well as a strategic planning session have also occurred over the past year to ensure that the Commission is prepared for its new mandate.

PROVINCIAL PARTNERSHIPS

In November 2013, in anticipation of the coming into force of Bill C-42, the Commission launched a pilot project aimed at enhancing relationships with provincial and territorial governments, review agencies and stakeholders such as ombudsmen and municipal governments.

Since that time, meetings have been held across the country in order to develop collaborative relationships. The Commission has introduced to its partners the requirements and opportunities of its new legislation, with particular emphasis on the importance of a consistent and cohesive approach to public engagement with Canadian police complaint and review systems. In developing such an approach, the Commission anticipates increasing orientation towards a "no wrong door" model of filing a public complaint.

The Commission has also introduced to its partners the Civilian Review and Complaints Commission's (CRCC) new obligation to:

- prepare annual reports for provinces and territories that contract for RCMP services;
- provide provincial officials with notification of new complaints; and
- provide provincial officials with final reports prepared by the Commission in response to requests for reviews of the RCMP's handling of public complaints.

Finally, the Commission anticipates that the relationships it has developed through its outreach to provincial and territorial partners will be instrumental to the ability of the CRCC to undertake joint reviews with provincial counterparts, and the ability of the provinces and territories to request that the Commission undertake reviews of specified RCMP activities.

RESEARCH UNIT

Over the past year, the Research Unit provided research and analytical support to other units within the Operations Division. For example, it assisted in the ongoing public interest investigations into the seizure of firearms by the RCMP in High River, Alberta, and also the conduct of RCMP members involved in carrying out policing duties in northern British Columbia.

The unit has also drafted a three-year strategic research plan which will serve as a guidepost for research activities as the Commission moves forward and makes the transition to a new civilian review and complaints body. As part of this plan, it is examining the use of police dogs by the RCMP, with a focus on use of force issues.

CANADIAN ASSOCIATION OF CIVILIAN OVERSIGHT OF LAW ENFORCEMENT

The Commission continued working with the Canadian Association of Civilian Oversight of Law Enforcement (CACOLE) as part of its executive team to advance the principles of civilian oversight of law enforcement.

In 2015, the Commission will host the annual conference in Ottawa, bringing together such organizations as provincial and federal oversight agencies, municipal and provincial police boards, police associations and community rights groups.

In addition, the Commission maintains the association's website to ensure easy access to information about CACOLE, its mandate and its annual conference.

The website can be found at www.cacole.ca.

FEDERAL & PROVINCIAL ANNUAL OVERSIGHT CONFERENCE

In November, the Commission held its annual forum for heads of police review organizations across Canada. The group meets to share best practices, identify emerging issues and enhance working relationships.

The fall 2013 session covered such issues as:

- Role of oversight bodies in the use of force debate: gap between public opinion & police experts
- Implications of federal/provincial privacy legislation
- Joint communications
- Common complaint forms
- Provincial reporting
- Joint reviews & investigations
- Sharing complaint information
- File transfer - investigative body to complaint body

The Commission has started preparations for the fall 2014 meeting.

In preparation for the coming into force of the new legislation, a new unit has been established and is being staffed with senior investigators responsible for undertaking systemic examinations of RCMP policies, programs issues.

CORPORATE OVERVIEW

Over the past year the CPC has continued to restructure its operational and administrative services. A focus on creating efficiencies in internal services functions has allowed for the reinvestment of savings into new mandate areas and enhancements to the complaint and review processes. The CPC has incorporated the Government of Canada's Blueprint 2020 objectives and its shared services strategic approach in identifying and leveraging opportunities which would enhance its the delivery of CPC services to Canadians.

Through a strategic partnership with another government agency, the Commission's IT platform has been updated to a more cost effective, flexible and scalable business solution with the capacity to respond to the evolving needs of the Commission as it implements its new mandate.

A new Case Management System has been developed to consolidate and centralize all aspects of the public complaint process into one strategic information management system. This will facilitate both the management of the complaint and review process and the Commission's new provincial reporting requirements set out in Bill C-42.

The CPC secured an additional $4.7M in permanent funding to support the new CRCC mandate. This funding, which was received in Supplementary Estimates B 2013-2014, provided the CPC with a total annual appropriation of approximately $10M and has supported the CPC's delivery of its core mandate as well as the preparations required to ensure a smooth transition to the CRCC expected in 2014-2015.

Below are the preliminary expenditure figures for 2013-2014. Adjustments to these figures will be made and final amounts will be reported in the Public Accounts of Canada.

Expenditures

2013-2014	
Salaries	6,115
Operating Costs	2,675
Total	8,790

Note: Numbers represented are in thousands.